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11 **UNITED STATES DISTRICT COURT**

12 **DISTRICT OF NEVADA**

13 UNITED STATES OF AMERICA,)
14 Plaintiff,) Case No: 2:18-cr-279-APG-EJY-2
15)
16 vs.) **STIPULATION AND ORDER
17 ELMER EDUARDO RODRIGUEZ,) TO CONTINUE SENTENCING
18 Defendants.) (First Request)
19)
20)
21)
22)
23)**

24 **IT IS HEREBY STIPULATED AND AGREED**, by and between STEVEN M.
25 ALTIG, ESQ., attorney for Defendant ELMER EDUARDO RODRIGUEZ, and MELANEE
26 SMITH, Assistant United States Attorney, attorney for Plaintiff, that the sentencing currently
27 scheduled for February 24, 2022, at the hour of 9:30 a.m., be vacated and continued for an
additional sixty (60) days or to a date thereafter which is convenient to the court.

28 This stipulation is entered into for the following reasons:

29 1. On November 3, 2021, Defendant pleaded guilty to the one count superseding
30 information charging him with conspiracy to distribute a controlled substance in violation of 21
31 U.S.C. §§ 841(a)(1), 841(b)(1)(A)(viii), and 846.
32
33 2. That Counsel's Office for the Defendant was impacted with COVID.

1 3. That Counsel needs additional time to speak with Defendant and prepare a
2 sentencing memorandum.

3 4. Denial of this request for continuance would deny the Defendant sufficient time
4 and opportunity prepare for sentencing and to get his affairs in order.

5 5. Defendant is not in custody.

6 6. Defendant has no objection to a continuance of this matter.

7 7. This request for a continuance is made in good faith and is not intended to delay
8 the proceedings in this matter.

9
10 DATED this 22nd day of February, 2022.
11
12

13 By /s/Melanee Smith
14 CHRISTOPHER CHIOU
15 Acting United States Attorney
16 MELANEE SMITH
17 Assistant United States Attorney
18 Attorney for Plaintiff

19 By /s/M. Kent Kozal
20 STEVEN M. ALTIG, ESQ.
21 Nevada State Bar No. 6879
22 MARCUS KENT KOZAL, ESQ.
23 Nevada State Bar No. 5039
24 Attorney for Elmer Rodriguez
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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

* * *

Based on the pending stipulation of the parties, and good cause appearing therefore, the Court hereby finds that:

IT HEREBY ORDERED that the sentencing date of February 24, 2022, at the hour of 9:30 a.m., be vacated and continued until 28th day of April, 2022, at the hour of 9:30 a.m. in Courtroom 6C.

DATED this 23rd day of February, 2022.


UNITED STATES DISTRICT JUDGE